

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	Criminal No. 1:06-cr-060
Plaintiff,)	
)	<u>PRELIMINARY ORDER OF</u>
-vs-)	<u>FORFEITURE</u>
)	
ELIZA B. OSTERMAN,)	
ANTHONY J. UMPHLETT, and)	
KYLE D. KACHELHOFFER,)	
)	
Defendants.)	

WHEREAS, in the Information regarding the above case, the United States sought forfeiture of specific property constituting proceeds obtained via illegal activity of the above-captioned defendants, ELIZA B. OSTERMAN, ANTHONY J. UMPHLETT, and KYLE D. KACHELHOFFER, pursuant to Title 18, United States Code, Section 492 and 28 United States Code, Section 2461(c), as all counterfeits of any coins or obligations or other securities of the United States and any material or apparatus used or fitted or intended to be used in the making of such counterfeits.

AND AS A RESULT of the guilty pleas on December 19, 2006, to the Information together with the defendants' waiver of any rights to said property pursuant to the Plea Agreement, the defendants, ELIZA B. OSTERMAN, ANTHONY J. UMPHLETT, and KYLE D. KACHELHOFFER, shall forfeit to the United States of America all of their right, title and interest to:

Hewlett Packard “All-in-One” printer/scanner/copier, Model PSC 1315V,
Serial Number Q5763A.

It is hereby ORDERED, ADJUDGED and DECREED:

1. That all of the defendants’ right, title and interest in the following property is hereby forfeited, that the United States is hereby authorized to seize the following property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

Hewlett Packard “All-in-One” printer/scanner/copier, Model PSC 1315V,
Serial Number Q5763A.

2. That all of the aforementioned forfeited property is to be held by the United States Secret Service, in their custody and control.

3. That the United States Secret Service shall publish at least once for three successive weeks in The Bismarck Tribune, a newspaper of general circulation where the forfeited property was seized, notice of this Order, notice of the Government’s intent to dispose of the property in such manner as the United States may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner’s alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner’s right, title or interest in the forfeited property and any additional facts

supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

ORDERED this 4th day of January, 2007.

/s/ Daniel L. Hovland
Daniel L. Hovland, Chief Judge
United States District Court